

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

SCANNED

PLAINTIFF	DARRYL LEE CHERRY	COURT CASE NUMBER	CA-04-0292
DEFENDANT	UNITED STATES OF AMERICA	TYPE OF PROCESS	CIVIL
SERVE AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN		
	UNITED STATES ATTORNEY GENERAL		
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)			
UNITED STATES DEPARTMENT OF JUSTICE, 10TH & PENN. AVE. WASH.D.C.			
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW			
DARRYL LEE CHERRY; REG. NO 07928-078 FCI-MCKEAN P.O. BOX 8000 BRADFORD, PA. 16701		Number of process to be served with this Form 285	8
		Number of parties to be served in this case	1
		Check for service on U.S.A.	X
SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):			

Fold

Fold

INCARCERATED PRISONER

Signature of Attorney other Originator requesting service on behalf of:				<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER	DATE
Darryl Cherry						4/2/05
SPACE BELOW FOR USE OF U.S. MARSHAL ONLY- DO NOT WRITE BELOW THIS LINE						
I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk		Date
		No.	No.			
I hereby certify and return that I <input type="checkbox"/> have personally served, <input type="checkbox"/> have legal evidence of service, <input type="checkbox"/> have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.						
<input type="checkbox"/> I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)						
Name and title of individual served (if not shown above)				<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode		
Address (complete only different than shown above)				Date	Time	<input type="checkbox"/> am <input type="checkbox"/> pm
				Signature of U.S. Marshal or Deputy		
Service Fee	Total Mileage Charges including endeavors	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)	

REMARKS:

08/12/05 RETURNED TO COURT UNEXECUTED - NO RESPONSE TO WAIVER BY MAIL

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

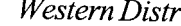
***IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA***

Darryl Lee Cherry)
vs. *Civil Action: 04-0292 Erie*
U.S. Attorney General)

NOTICE OF INABILITY OF EFFECTUATE SERVICE

The Under signed Hereby certified that on 06/22/05, the Order and Complaint in the above captioned case, and the Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons were mailed to the above named defendant. No acknowledgment of service has been received, and more than 30 days has elapsed.

*Thomas M. Fitzgerald
United States Marshal
Western District of Pennsylvania*

By:  Sheila Blessing
Administrative Clerk
United States Marshals Service
Western District of Pennsylvania
August 12, 2005

ORDER

AND NOW, this _____ day of _____, 20____, upon consideration of the foregoing Notice of Inability to Effectuate Service,

***IT IS ORDERED** that the Clerk of Court prepare duplicate Summons and Complaint,*

AND IT IS FURTHER ORDERED that the United States Marshal make personal service of those documents upon the above named defendant.